

**LEMON GROVE CITY COUNCIL
AGENDA ITEM SUMMARY**

Item No. 3
Mtg. Date June 5, 2018
Dept. Development Services Department

Item Title: **Public Hearing to Consider Administrative Appeal No. AA1-800-0002 Regarding the Decision to Approve Minor Use Permit No. MUP-180-0001; a Request to Allow an Outpatient Drug and Alcohol Addiction Treatment and Counseling Service Center at 3434 Grove Street in the Village Commercial Zone of the Downtown Village Specific Plan.**

Staff Contact: Arturo Ortuño, Assistant Planner
David De Vries, Development Services Director

Recommendation:

- 1) Conduct the public hearing; and
- 2) Either adopt a Resolution (**Attachment B**) denying Administrative Appeal No. AA1-800-0002, upholding the Development Services Director's decision to approve Minor Use Permit No. MUP-180-0001; or adopt a Resolution (**Attachment C**) approving Administrative Appeal No. AA1-800-0002, overturning the Development Services Director's decision to approve Minor Use Permit No. MUP-180-0001.

Item Summary:

On April 5, 2018, the Development Services Director tentatively approved Minor Use Permit No. MUP-180-0001, a request to allow an outpatient drug and alcohol addiction treatment and counseling service center located at 3434 Grove Street. The Minor Use Permit was intended to become effective on April 15, 2018, (10 days after the date of the tentative approval) unless a valid request for a public hearing through the appeal process has been filed by the applicant or another interested person. The appellant, Sara Cummings, subsequently filed an appeal and request for public hearing on April 11, 2018.

Fiscal Impact:

No fiscal impact.

Environmental Review:

- | | |
|---|---|
| <input type="checkbox"/> Not subject to review | <input type="checkbox"/> Negative Declaration |
| <input checked="" type="checkbox"/> Categorically Exempt, Section 15301 | <input type="checkbox"/> Mitigated Negative Declaration |

Public Information:

- | | | |
|---|---|--|
| <input type="checkbox"/> None | <input type="checkbox"/> Newsletter article | <input checked="" type="checkbox"/> Notice to property owners within 500 ft. |
| <input checked="" type="checkbox"/> Notice published in local newspaper | <input type="checkbox"/> Neighborhood meeting | |

Attachments:

- A. Staff Report
- B. Resolution of Approval
- C. Resolution of Denial
- D. Notice of Decision 18-02 for MUP-180-0001, dated April 4, 2018
- E. Vicinity Map
- F. Proposed Business License Application, Palms Detox, Inc.
- G. Outpatient Client Weekly Schedule
- H. Notice of Decision 08-02 for MUP080-001 (Youth Center), dated January 29, 2008
- I. AA1-800-0002 Administrative Appeal Form
- J. Letter of Support for Appeal, dated May 22, 2018
- K. Chapter II (The Visions) of the Downtown Village Specific Plan
- L. Exhibit A – Project Plans

Attachment A

LEMON GROVE CITY COUNCIL STAFF REPORT

Item No. 3

Mtg. Date June 5, 2018

Item Title: Public Hearing to Consider Administrative Appeal No. AA1-800-0002 Regarding the Decision to Approve Minor Use Permit No. MUP-180-0001; a Request to Allow an Outpatient Drug and Alcohol Addiction Treatment and Counseling Service Center at 3434 Grove Street in the Village Commercial Zone of the Downtown Village Specific Plan.

Staff Contact: Arturo Ortuño, Assistant Planner
David De Vries, Development Services Director

Application Summary:

APPLICANT/OWNER:	Chris Brandley, RBN Design
APPELLANT	Sara Cummings
PROPERTY LOCATION:	3434 Grove Street, APN: 480-111-35-00. The site is located on the west side of Grove Street, between Broadway and Lester Avenue.
PROJECT AREA:	0.40 acres (17,170 square feet)
EXISTING ZONE:	Village Commercial 5 (VC5) within the Downtown Village Specific Plan
GENERAL PLAN LAND USE DESIGNATION:	Village Core District and Village Commercial 5 within the Downtown Village Specific Plan
SURROUNDING PROPERTIES:	North: Civic (CI) South: Village Commercial 5 (VC5) East: General Commercial (GC) West: Village Commercial 5 (VC5)
ENVIRONMENTAL IMPACT:	The project is Categorically Exempt from the California Environmental Quality Act Section 15301 (Existing Facilities), Class 1. Mitigation measures are not required and no environmental impact is anticipated.

Attachment A

Background

The property at 3434 Grove Street is a 17,170 square foot (.40 gross acre) rectangular parcel with an existing 5,160 square foot vacant office building. Previous use (Fred Finch Youth Center) was approved on February 8, 2008 through Minor Use Permit No. MUP-080-001, a request to authorize the establishment of a specialized private school and administrative offices serving up to 24 students and employing 12 staff members. The Downtown Village Specific Plan (DVSP) allows “other types of assembly spaces such as schools, vocational schools, lecture halls, service organization” with an approval of a Minor Use Permit. The business license for the youth center expired on December 31, 2017.

On February 27, 2018, Chris Bradley of RBN Design submitted a Minor Use Permit application (MUP-180-0001), a request to continue a professional office allowing an outpatient drug and alcohol addiction treatment and counseling service center that would provide services for up to 20 outpatients a day at an existing youth center located at 3434 Grove Street in the Village Commercial Zone of the DVSP. The Development Services Director tentatively approved MUP-180-0001 on April 4, 2018. The Minor Use Permit would have become effective on April 15, 2018, (10 days after the date of the tentative approval) unless a valid request for a public hearing through the appeal process were to be filed by the applicant or another interested person. The appellant, Sara Cummings, subsequently filed an appeal and request for public hearing on April 11, 2018.

Discussion

Land Use Analysis

The character of the Village Core District is based on the existing lively mix of small community-serving retail uses. The intent of the Development Standards and Design Guidelines for this District is to preserve Lemon Grove's small town feel, while enhancing and unifying the retail commercial uses along Broadway and portions of Lemon Grove Avenue.

The purpose of the Village Commercial Land Use Designation of the DVSP is to provide for a mix of retail commercial, office and residential development that take advantage of the convenient access to the nearby bus and trolley transit services planned for the Integrated Transit Station with the intent of creating a lively pedestrian-oriented village near the planned Integrated Transit Station. Retail commercial uses located at ground level will provide goods and services for both residents and commuters.

The proposed land use is allowed as a permitted use as a business, professional or technical office (e.g., doctor, lawyer, architect, engineer, realtor, travel agent, accountant, insurance or security brokers, advertising agencies). Since group sessions are proposed, a Minor Use Permit is required (Clinics and other facilities providing professional on-site services to groups). Neither the Municipal Code nor the DVSP provide a definition for office. Merriam Webster's Dictionary definition of “office” is a place where a particular kind of business is transacted or a service is supplied. The Oxford Dictionary definition is a room, set of rooms, or building used as a place for commercial, professional, or bureaucratic work. The proposed use meets the definition of office and could be considered to be compatible with the purpose of the District and Land Use Designation in the DVSP because it provides professional counseling services by State licensed professionals consistent with the definition of office. The proposed use is not a residential care facility because it does not provide 24 hour supervised care. Only outpatient services are proposed similar to a medical office (e.g., doctor). Only standard office equipment will be used

Attachment A

such as chairs, desks, computers, office supplies, etc. The proposed land use is a continuation of a professional administrative office use and will not generate an increase of average daily trips. The proposed 20 daily outpatients will be less than the 24 daily students and 12 staff members associated with the existing youth center.

Even though the proposed land use is a continuation of a professional office use, the use provides services to adults struggling with various behavioral health issues such as substance and drug abuse rather than providing educational services to youths. The proposed land use could be considered to be incompatible with the purpose of the District and Land Use Designation in the DVSP because counseling services could be construed as to not enhance or unify the vision of a lively “small town” retail district. The proposed clients are in recovery in a District that allows for beer and wine by-right without discretionary review and there are numerous alcohol related land uses within one-half mile of the proposed facility. The proposed land use may be construed to conflict with this vision because the clients may be discouraged from associating with these alcohol related land uses that are common in the downtown creating a conflict in land use.

The appellant’s letter of support for the appeal (**Attachment J**) refers to several draft policies from the Draft Downtown Specific Plan that was denied by the City Council on May 15, 2018. The current visions and goals, objectives and policies are from the adopted 2005 Downtown Village Specific Plan (**Attachment K**).

The outpatient drug and alcohol addiction treatment and counseling service center would provide outpatient counseling by professional licensed therapists and social workers to individuals struggling with various behavioral health issues such as substance and drug abuse. In addition to therapists or social workers, there may be office support staff employed as well such as administrative staff, assistants, and office manager. Sessions will be provided to clients on either an individual basis, or in a group setting. Operations are proposed to be Monday through Friday only from 9am to 5pm with one group session per day except for two group sessions on Friday (**Attachment G**). However, the Notice of Decision does not restrict the days, hours or number of group sessions or clients at any one time. A typical patient experience will be unique and individualized to their personal needs and goals. Clients will be provided with nursing and medical exams, one-on-one and group therapy, counseling sessions with family members, lab work, substance abuse education, relapse prevention and nontraditional forms of therapy such as yoga and meditation. The following counseling sessions provided will be included in the proposed timeline:

1. Primary Process Group Sessions (approximately 10 clients per session) – generally member-led, where individuals bring up issues in therapy sessions that they themselves would like to address and are struggling with. These sessions allow for therapist and member input, feedback, and interaction among patients and encourage participation.
2. Evidence Based Relapse Prevention Therapy – sessions focuses on research and studies. Participants will be provided with studies that have proven to be successful, as far as, life-changing techniques (exercise, smoking, sleep habits, reading, etc.) These sessions also focus on discussions as they relate to cognition and shaping the brain to avoid relapse.
3. “My 12-Step” – sessions focus on one of the most well-known and pioneered methods of overcoming addiction and substance abuse. The 12-Step program will allow individuals to be committed to a program and which combines a higher power of religion into overcoming their addiction.

Attachment A

4. Transition Group Sessions (approximately 10 clients per session) – generally towards individuals that have recently stepped down from detox or residential treatment and are coping with adjusting to being back into a daily routine with more freedom. It is one of the more challenging periods for clients as they transition into outpatient levels of care.
5. Creative Expression – sessions focus on motor functions, combining therapy classes with proven forms of relief such as painting, drawing or writing in journals. Clients finding peace and success in these methods are encouraged to instill these techniques on a daily basis.
6. Life Skills – sessions focus on coping with daily life and overcoming addiction on regular basis. Clients engage in group discussions about the temptations they regularly encounter and what techniques works for them on avoiding the potential for relapse, what activities to stay away from, and strategies to implement if temptation presents itself.
7. Psycho-Ed Gender GP – sessions are gender specific psychotherapy classes, generally focusing on trauma, abuse, sexual abuse, and other relatable issues. Psychotherapy is an alternative to medicine. It focuses on treating an individual with a deep intensive psychological investigation rather than providing clients with medication.
8. Wellness, Healthy Eating and Anger Management – sessions focus on improving other facets of individual life in order to aid in the recovery and rehabilitation of each person.

Off-Street Parking

The required off-street parking requirements in the Village Commercial zone and the parking provided by the project are as follows:

Use	Size	Parking Ratio	Required Parking	Provided
Office	5,160 sq. ft.	3.0 space / 1,000 sq. ft.	15.48 = 16 spaces	21 spaces

The proposed project will be using the existing parking layout from the existing youth center that provides 21 off-street parking spaces, including one ADA accessible parking space. The provided parking exceeds the minimum required parking for an existing 5,160 square feet office building. Since the building is less than 10,000 square feet, there is no loading space requirement.

Landscape

The required landscape area and the landscape area proposed by the project are as follows:

Landscape Requirements	Required	Provided
Min. 10% Landscape Area	1,717 sq. ft.	1,850 sq. ft.
Min. 25% Vegetated Plant Materials	429 sq. ft.	1,339 sq. ft.

Conditions for the proposed project will require that all landscaping be well maintained and adequately watered at all times.

Attachment A

Screening

Existing conditions provides a trash container screened by a solid masonry wall located at the northwest corner of the lot. However, the trash enclosure is required to be screened through the use of dense plant materials per regulations in the Downtown Village Specific Plan (DVSP). In addition, screening for parking lots shall include at least four (4) feet of landscaped strip between the vehicle area and the sidewalk with a 42" high screening element of either a dense hedge or a wall or fence integrated with shrub planting. The site includes a 42" solid masonry wall along Grove Street and Lester Avenue, but does not include the required four (4) feet of landscape strip. Since this is a continuation of a professional office use with no anticipated change in traffic volumes, staff determined there is no basis for requiring screening of the trash enclosure and parking area.

Street Improvements

The project location is on the southwest corner of Grove Street and Lester Avenue. There is existing curb, gutter and sidewalk and a street light along Grove Street, but no curb, gutter and sidewalk along Lester Avenue. All utilities fronting the property are placed underground. Street improvements may be required as a part of a discretionary permit when there is a substantial change in mode or land use. Since this is a continuation of a professional office land use with no anticipated change in traffic volumes and since no tenant improvements are proposed in excess of \$15,000, there is no basis for requiring street improvements or a street dedication.

Public Information:

The Notice of Public Hearing for this item was published in the May 24, 2018 edition of the East County California and mailed to all property owners within 500 feet of the subject property. The City of Lemon Grove received no comments in response to the Notice of Public Hearing and Environmental Analysis at the time this staff report was prepared. Staff will provide the City Council at the time of the public hearing with any comments.

Conclusion:

The City Council may either deny (**Attachment B**) or approve (**Attachment C**) this administrative appeal request based on the findings that the proposed use is either consistent or inconsistent with the Village Commercial land use designation of the Lemon Grove Downtown Village Specific Plan, and complies with the applicable provisions of the Lemon Grove Municipal Code requirements.

Staff recommends that the City Council conduct the public hearing and either adopt a Resolution (**Attachment B**) denying Administrative Appeal No. AA1-800-0002, upholding the Development Services Director's decision to approve Minor Use Permit No. MUP-180-0001; or adopt a Resolution (**Attachment C**) approving Administrative Appeal No. AA1-800-0002, overturning the Development Services Director's decision to approve Minor Use Permit No. MUP-180-0001. |

Attachment B

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMON GROVE DENYING ADMINISTRATIVE APPEAL AA1-800-0002, UPHOLDING THE DEVELOPMENT SERVICES DIRECTOR'S DECISION TO APPROVE MINOR USE PERMIT NO. MUP-180-0001, A REQUEST TO ALLOW AN OUTPATIENT DRUG AND ALCOHOL ADDICTION TREATMENT AND COUNSELING SERVICE CENTER AT 3434 GROVE STREET, LEMON GROVE, CALIFORNIA.

WHEREAS, the applicant, Chris Brandley of RBN Design, filed an application for a Minor Use Permit (MUP-180-0001) on February 27, 2018, a request to allow an outpatient drug and alcohol addiction treatment and counseling service center that would provide services for up to 20 outpatients per day, including services to groups, at an existing youth center located at 3434 Grove Street, Lemon Grove, California; and

WHEREAS, the proposed land use would be a continuation of a permitted use because of the similarity of a professional office setting and providing daily services to individuals and groups. The previous use (other types of assembly spaces such as schools, vocational schools, lecture halls, service organization) was approved on February 8, 2008 through Minor Use Permit No. MUP-080-001, a request to authorize the establishment of a specialized private school and administrative offices serving up to 24 students and employing 12 staff members; and

WHEREAS, the proposed use will provide outpatient counseling by licensed professional therapists and social workers to individuals struggling with various behavioral health issues such as substance and drug abuse. Adults attempting to combat drug addiction and alcohol dependency will receive one-on-one and group counseling on an outpatient basis (as opposed to inpatient 24 hour supervised residential care); and

WHEREAS, the drug and alcohol addiction treatment and counseling service center will not generate an increase in average daily trips from the previous use of a youth center because the anticipated number of daily outpatients is consistent with the amount of daily students and staff members from the previous use. No improvements greater than \$15,000 are proposed, and as a result there is no basis for requiring street improvements or street dedication; and

WHEREAS, the Development Services Director tentatively approved MUP-180-0001 on April 4, 2018. The Minor Use Permit was intended to become effective on April 15, 2018, (10 days after the date of the tentative approval) unless a valid request for a public hearing through the appeal process has been filed by the applicant or another interested person; and

WHEREAS, on April 12, 2018, the appellant, Sara Cummings, filed AA1-800-0002, for an administrative appeal of the Development Services Director's decision; and

WHEREAS, the Notice of Public Hearing for this item was published in the May 24, 2018 edition of the East County California and mailed to all property owners within 500 feet of the subject property; and

WHEREAS, on June 5, 2018, the City Council held a duly noticed public hearing to consider Administrative Appeal AA1-800-0002, an appeal of the Development Services Director's decision to approve Minor Use Permit No. MUP-180-0001; and

WHEREAS, the City has found the proposed Minor Use Permit to be categorically exempt from the environmental review requirements of the California Environmental Quality Act Guidelines (Section 15301, Existing Facilities); and

Attachment B

WHEREAS, the City Council determined that the following findings of fact as required by section 17.28.052(C) can be made as follows:

1. The use is compatible with the neighborhood or the community; and
 - a. **The proposed drug and alcohol addiction treatment and counseling service center is located in the Village Commercial 5 (VC5) zone which allows clinics and other facilities providing professional on-site services to groups with an approval of a Minor Use Permit and allows medical professional offices as a permitted use.**
2. The use is not detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity; and
 - a. **The proposed use is categorically exempt from environmental impacts and no impacts are anticipated. The proposed drug and alcohol addiction treatment and counseling service center will be required to meet all applicable provisions of the Lemon Grove Municipal Code (LGMC) and conditions of approval.**
3. The use complies with performance standards according to Section 17.24.080 of the LGMC (Performance Standards); and
 - a. **The proposed use complies or will be made to comply with applicable performance standards according to Section 17.24.080 of the LGMC (specifically noise, glare, traffic circulation and parking, waste, and fire hazards).**
4. The use is consistent with applicable provisions of the particular zoning district and with policies and standards of the general plan.
 - a. **The proposed use complies with the applicable provisions of the LGMC requirements, and is consistent with the Village Commercial land use designation of the Lemon Grove Downtown Village Specific Plan (DVSP). The proposed drug addiction treatment counseling service center would provide a mix of uses within the same area which is compatible with the surrounding neighborhood, with the intent of providing a special service to serve the local community; and**

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lemon Grove, California hereby:

SECTION 1. Denies Sara Cummings Administrative Appeal No. AA1-800-0002 based on the above-findings; and

SECTION 2. Upholds the Development Services Director's April 5, 2018 decision to approval Minor Use Permit No. MUP-180-0001, Notice of Decision 18-02 (**Attachment D**), a request to allow an outpatient drug and alcohol addiction treatment counseling service center at 3434 Grove Street, Lemon Grove, CA with the following amendments: |

- A) The decision regarding this Minor Use Permit became effective on June 5, 2018.
- B) This Minor Use Permit expires on June 5, 2019 or such longer period as may be approved by the Development Services Director, Planning Commission or the City Council of the City of Lemon Grove prior to said expiration date unless use in reliance on the Minor Use Permit has commenced prior to said expiration date. If the Downtown Village Specific Plan is amended or replaced, time extensions should not be considered.

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMON GROVE APPROVING ADMINISTRATIVE APPEAL AA1-800-0002, OVERTURNING THE DEVELOPMENT SERVICES DIRECTOR'S DECISION TO APPROVE MINOR USE PERMIT NO. MUP-180-0001, A REQUEST TO ALLOW AN OUTPATIENT DRUG AND ALCOHOL ADDICTION TREATMENT AND COUNSELING SERVICE CENTER AT 3434 GROVE STREET, LEMON GROVE, CALIFORNIA.

WHEREAS, the applicant, Chris Brandley of RBN Design, filed an application for a Minor Use Permit (MUP-180-0001) on February 27, 2018, a request to allow an outpatient drug and alcohol addiction treatment and counseling services center that would provide services for up to 20 outpatients per day, including services to groups, at an existing youth center located at 3434 Grove Street, Lemon Grove, California; and

WHEREAS, the proposed land use would not be a continuation of a permitted use because of school and treatment settings differ and provide for different daily services to individuals and groups. The previous use (other types of assembly spaces such as schools, vocational schools, lecture halls, service organization) was approved on February 8, 2008 through Minor Use Permit No. MUP-080-001, a request to authorize the establishment of a specialized private school and administrative offices serving up to 24 students and employing 12 staff members; and

WHEREAS, the proposed use will provide outpatient counseling by licensed professional therapists and social workers to individuals struggling with various behavioral health issues such as substance and drug abuse. Adults attempting to combat drug addiction and alcohol dependency will receive one-on-one and group counseling on an outpatient basis (as opposed to inpatient 24 hour supervised residential care); and

WHEREAS, the Development Services Director tentatively approved MUP-180-0001 on April 4, 2018. The Minor Use Permit was intended to become effective on April 15, 2018, (10 days after the date of the tentative approval) unless a valid request for a public hearing through the appeal process has been filed by the applicant or another interested person; and

WHEREAS, on April 12, 2018, the appellant, Sara Cummings, filed AA1-800-0002, for an administrative appeal of the Development Services Director's decision; and

WHEREAS, the Notice of Public Hearing for this item was published in the May 24, 2018 edition of the East County California and mailed to all property owners within 500 feet of the subject property; and

WHEREAS, on June 5, 2018, the City Council held a duly noticed public hearing to consider Administrative Appeal AA1-800-0002, an appeal of the Development Services Director's decision to approve Minor Use Permit No. MUP-180-0001; and

WHEREAS, the project to be denied is found to be statutory exempt from the California Environmental Quality Act (CEQA) pursuant to the CEQA Guidelines (Section 15270); and

WHEREAS, the City Council determined that the following findings of fact as required by section 17.28.052(C) cannot all be made as follows:

Attachment C

1. The use is not compatible with the neighborhood or the community; and
 - a. **The proposed drug and alcohol addiction treatment and counseling service center is located in the Village Commercial zone of the Downtown Village Specific Plan (DVSP) and the DVSP is intended to preserve Lemon Grove's small town feel, while enhancing and unifying the retail commercial uses. The proposed use is not compatible with the character of the Village Core District. The proposed clients are in recovery in a District that allows for beer and wine by-right without discretionary review. Conflicts between the proposed clients and common alcohol related uses in the Village Core will discourage any association creating a conflict in land use.**
2. The use is detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity; and
 - b. **The proposed use is categorically exempt from environmental impacts and no impacts are anticipated. The proposed drug and alcohol addiction treatment and counseling service center is located in an area predominantly developed with commercial and office land uses without counseling and treatment services.**
3. The use complies with performance standards according to Section 17.24.080 of the LGMC (Performance Standards); and
 - a. **The proposed use complies or will be made to comply with applicable performance standards according to Section 17.24.080 of the Lemon Grove Municipal Code (specifically noise, glare, traffic circulation and parking, waste, and fire hazards).**
4. The use is not consistent with applicable provisions of the particular zoning district and with policies and standards of the general plan.
 - b. **The proposed use provides services to adults struggling with various behavioral health issues such as substance and drug abuse. The proposed use is inconsistent with policies found in the general plan, such as promoting a lively, pedestrian-friendly downtown village, and promoting a healthy, family-oriented community through appropriate land use and development decisions; and**

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lemon Grove, California hereby:

SECTION 1. Approves Sara Cummings Administrative Appeal No. AA1-800-0002 based on the above-findings; and

SECTION 2. Overturns the Development Services Director's April 5, 2018 decision to approval Minor Use Permit No. MUP-180-0001, Notice of Decision 18-02 (**Attachment D**), a request to allow an outpatient drug and alcohol addiction treatment and counseling service center at 3434 Grove Street, Lemon Grove, CA. |



CITY OF LEMON GROVE

"Best Climate On Earth"

Community Development Department

April 4, 2018

RBN Design
Attn: Chris Brandley
5090 Shoreham Place, Suite 100
San Diego, CA 92124

CC: Jared Hirsch
1515 NW 167 Street, Suite 300
Miami Gardens, FL 33169

Re: Minor Use Permit MUP-160-0001

Dear Mr. Ramirez,

The Development Services Director intends to approve Minor Use Permit MUP-180-0001, a request to authorize an outpatient drug and alcohol addiction and treatment center at 3434 Grove Street, Lemon Grove, California.

The Notice of Decision includes conditions that apply to the uses established by the Minor Use Permit. Please read through the conditions of approval carefully and let us know if you have any questions. This Minor Use Permit shall become effective on April 15, 2018, (10 days after the date of the tentative approval) unless a valid request for a public hearing through the appeal process has been filed by the applicant or another interested person. I will contact you if an appeal is filed. This Minor Use Permit will expire on April 15, 2019 unless use or improvements in reliance on this Minor Use Permit has commenced prior to this date. An extension may be approved by the Development Services Director or City Council of the City of Lemon Grove prior to said expiration date.

The Notice of Decision and invoice are enclosed. The balance due for the Minor Use Permit is \$425.56 and is payable upon receipt. Please feel free to contact me if you have any questions regarding the conditions of approval at 619-825-3805.

Sincerely,

Arturo Ortuño
Assistant Planner

CC: MUP-180-0001 File

Enclosures: Invoice 4-4-18
Notice of Decision 18-02
Public Notice

3232 Main Street Lemon Grove California 91945-1705

619.825.3805 FAX: 619.825.3818 www.ci.lemon-grove.ca.us



Attachment D

NOTICE OF DECISION 18-02 MINOR USE PERMIT MUP-180-0001

NOTICE OF DECISION OF THE DEVELOPMENT SERVICES DIRECTOR OF THE CITY OF LEMON GROVE, CALIFORNIA, TENTATIVELY APPROVING MINOR USE PERMIT MUP-180-0001 TO AUTHORIZE AN OUTPATIENT DRUG AND ALCOHOL ADDICTION AND TREATMENT CENTER THAT WOULD ALLOW UP TO 20 OUTPATIENTS PER DAY AT 3434 GROVE STREET, LEMON GROVE, CALIFORNIA.

WHEREAS, on March February 27, 2018, Jared Hirsch filed a complete application for a Minor Use Permit requesting an outpatient drug addiction and treatment center that would provide services up to 20 outpatients per day at an existing youth center located at 3434 Grove Street, Lemon Grove, California; and

WHEREAS, the proposed use will provide outpatient counseling by licensed therapists and social workers to individuals struggling with various behavioral health issues such as substance and drug abuse. Adults attempting to combat drug addiction and alcohol dependency will receive counseling on an outpatient basis (as opposed to inpatient residential care); and

WHEREAS, the City has found the proposed Minor Use Permit to be categorically exempt from the environmental review requirements of the California Environmental Quality Act Guidelines (Section 15301, Existing Facilities); and

WHEREAS, the proposed location at 3434 Grove Street, Lemon Grove, California converts the use of the existing office building to a drug and alcohol addiction and treatment center; and

WHEREAS, the drug and alcohol addiction and treatment center is not expected to generate an increase in average daily trips from the current use as a youth center; and

WHEREAS, on April 4, 2018 the Development Services Director reviewed this Minor Use Permit and has determined that the following findings of fact, as required by Section 17.28.052(C) of the Lemon Grove Municipal Code (LGMC) can be made:

1. The use is compatible with the neighborhood or the community.
 - The proposed drug and alcohol addiction and treatment center is located within the Village Commercial 5 (VC5) zone which allows clinics and other facilities providing professional on-site services to groups with an approval of a Minor Use Permit.
2. The use is not detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity.
 - The proposed use is categorically exempt from environmental impacts and no impacts are anticipated. The proposed drug and alcohol addiction and treatment center will be required to meet all applicable provisions of the LGMC and conditions of approval.
3. The use complies with performance standards according to Section 17.24.080.

Notice of Decision 18-02
MUP-180-0001
April 5, 2018

- The proposed use complies or will be made to comply with applicable performance standards according to Section 17.24.080 of the LGMC (specifically noise, glare, traffic circulation and parking, waste, and fire hazards).
4. The use is consistent with applicable provisions of the particular zoning district and with policies and standards of the general plan.
- The proposed use complies with the applicable provisions of the Lemon Grove Municipal Code requirements, and is consistent with the Village Commercial land use designation of the Lemon Grove Downtown Village Specific Plan (DVSP). The proposed drug addiction and treatment center would provide a mix of uses within the same area which is compatible with the surrounding neighborhood, with the intent of creating a lively pedestrian-oriented village.

IT IS HEREBY DETERMINED THAT the facts set forth in the recital of this Notice of Decision are found and declared to be true and therefore the City of Lemon Grove Development Services Director intends to approve Minor Use Permit MUP-180-0001 to authorize an outpatient drug and alcohol addiction and treatment center that would allow up to 20 outpatients per day at 3434 Grove Street, Lemon Grove California and consistent with the plan dated February 27, 2018 (incorporated herein by reference as Exhibit A), and subject to the following conditions:

- A) Prior to the occupancy of the facility authorized by this Minor Use Permit, the applicant shall comply with the following:
- 1) Obtain a building permit for any tenant improvements.
 - 2) All physical elements of the proposed project shown on the approved plot plan, landscape plan, floor plans, and building elevations dated February 27, 2018, except as noted herein, shall be located substantially where they are shown. Provide full dimensions on the existing floor plan and label each room with designated services or programs.
 - 3) The project shall comply with Title 15 of the LGMC, including the 2016 California Building and Fire Codes as amended.
 - 4) A Fire and Planning inspection is required prior to certificate of occupancy.
 - 5) Provide full dimensions to existing floor plan and label rooms with designated services or programs, including outdoor areas.
 - 6) Attach/incorporate San Diego Regional Standard Drawing details with landscape plans.
 - 7) Attach/incorporate landscape and irrigation notes found in information bulletin 18.
 - 8) Provide calculation to ensure water use will comply with the Maximum Applied Water Allowance (MAWA).
 - 9) Install 3 candelabra cactus and 20 breaklight hesperaloe shrub type vegetation per approved landscape plans dated February 27, 2018.
 - 10) Parking lot shall be re-striped or marked, indicating parking spaces, and accessible parking.
- B) The proposed project shall comply with the following general requirements.

Attachment D

Notice of Decision 18-02

MUP-180-0001

April 5, 2018

- 1) The terms and conditions of the Minor Use Permit shall be binding upon the permittee and all persons, firms, and corporations having an interest in the property subject to this Minor Use Permit, and the heirs, executors, administrators, successors, and assigns of each of them, including municipal corporations, public agencies, and districts.
 - 2) The use of the interior of the facility shall be consistent with the approved floor plans dated February 27, 2018.
 - 3) The proposed project shall comply with all of the appropriate provisions of the Uniform Building Code, Uniform Mechanical Code, Uniform Plumbing Code, National Electric Code, State of California Title 24 Energy Regulation, Fire Codes and the City of Lemon Grove Municipal Code.
 - 4) Proper drainage shall be maintained throughout this property so as to prevent ponding and/or storage of surface water.
 - 5) All graffiti on the subject property shall be removed or painted over with paint that closely matches the color of the exterior of the building within 48 hours of the discovery of the graffiti.
 - 6) Vehicular sight distance at all driveway entrances shall be provided and maintained to the satisfaction of the City Engineer.
 - 7) All landscaping shall be well maintained and adequately watered at all times.
 - 8) The drop-off or pick-up of outpatients shall occur at legal off-street parking locations. Parked vehicles shall not block driveways and drive aisles.
 - 9) Adjacent properties may not be leased for this use unless this permit has been modified and appropriate approvals have been obtained from the City of Lemon Grove.
 - 10) The operation of this drug addiction and treatment center shall comply with the applicable provisions of the Municipal Code and the State of California Vehicle Code. Complaints filed with the City of Lemon Grove (such as noise and vehicular related complaints) may be cause for a revocation of this Minor Use Permit approval.
 - 11) Outdoor storage of fleet vehicles, equipment and materials is prohibited at all times.
 - 12) All outdoor activities shall require a temporary use permit issued by the Lemon Grove Planning Division.
 - 13) No supervised 24 hour care shall be provided on-site.
- C) The decision regarding this Minor Use Permit shall become effective on April 15, 2018. (10 days after the date of the tentative approval) unless a valid request for a public hearing has been filed by the applicant or another interested person.

Attachment D

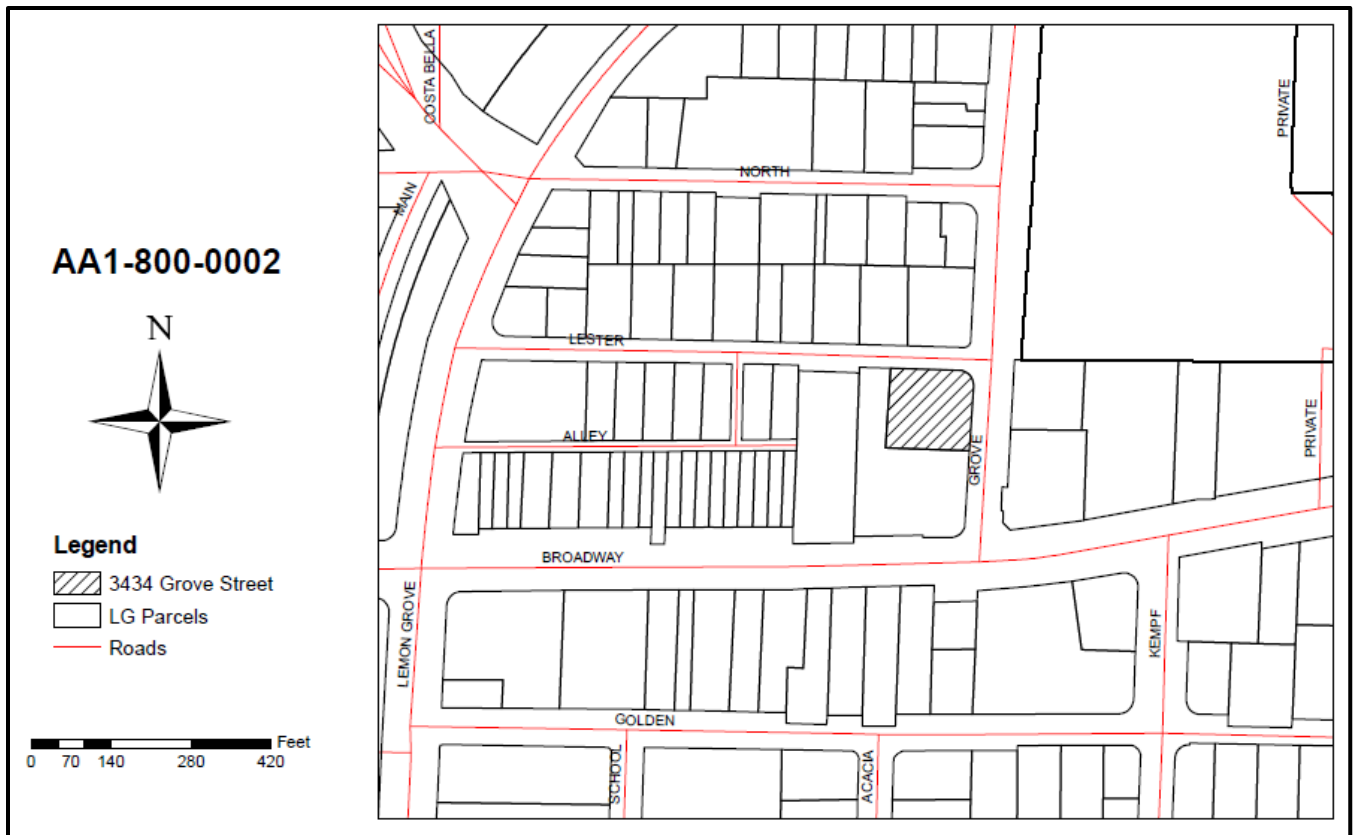
Notice of Decision 18-02
MUP-180-0001
April 5, 2018

- D) This Minor Use Permit expires on April 15, 2019 or such longer period as may be approved by the Development Services Director, Planning Commission or the City Council of the City of Lemon Grove prior to said expiration date unless use in reliance on the Minor Use Permit has commenced prior to said expiration date.

A handwritten signature in blue ink, appearing to read 'David De Vries', with a horizontal line extending to the right.

David De Vries
Development Services Director

Attachment E





CITY OF LEMON GROVE

3232 Main Street • Lemon Grove, CA 91945
Attn: Business License • (619) 425-3600

BUSINESS LICENSE APPLICATION

☒ New Application
☐ Change of Business Name

Business Name Palms Detox, Inc.		Enter number of Employees 7	Enter number of Vehicles 0
Business Location (Not P.O. Box) Lemon Grove CA 91945		Articles of Incorporation <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
Mailing Address (If Different) 1515 NW 167th St., Suite 300 Miami Gardens FL 33169		Fictitious Name Filed <input type="checkbox"/> YES <input type="checkbox"/> NO	
Bus. Phone _____ Bus. Fax _____		Business in Operation Preceding year <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
E-Mail Address _____		<input checked="" type="checkbox"/> In-City <input type="checkbox"/> Out of City <input type="checkbox"/> Home Occupation	
Start Date 03/01/2018	Description of Business Outpatient Counseling		
Ownership <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Ltd Liability Corp <input type="checkbox"/> Partnership <input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Trust			
State Lic. No. _____	License Type Federal I. O. No. _____	Expiration Date _____	
Resale No. _____ State I. O. No. _____			
Owner Name Robert Niznik Title CEO Phone _____ Home Address 1515 NW 167th St., Suite 300 Cell Phone _____ City Miami Gardens State FL Zip 33169 Owner Name _____ Title _____ Phone () _____ Home Address _____ Cell Phone () _____ City _____ State _____ Zip _____			
Name Renee Douthat Title Business Development Officer Phone _____ Address 1515 NW 167th St., Suite 300, Miami Gardens, FL 33169 Cell Phone () _____ Name _____ Phone No. () _____ Address _____ License No. _____			
I declare under penalty of perjury that to the best of my knowledge and belief the statements made herein are true and correct. Date: _____ Signature of Owner or Representative: _____			
+ OFFICIAL USE ONLY +		License Reviewed & Approved By:	
Business License No. _____	Planning Dept. _____ /	Base Fee \$ _____	
Receipt # _____	Code Enforcement _____ /	Employee Fee \$ _____	
Date Paid _____	Fire Dept. _____ /	Per Item Fee \$ _____	
<input type="checkbox"/> Cash <input type="checkbox"/> Check <input type="checkbox"/> MC / VISA	COMMENTS: _____	Processing Fee \$ 30.00	
		Storm Water Fee \$ _____	
		Fire Fee \$ _____	
		State CASP Fee \$ 1.00	
		TOTAL AMOUNT DUE \$ _____	
Name as it appears on Credit Card: _____		NOTICE: Under federal and state law, compliance with disability access laws is a serious and significant responsibility that applies to all California building owners and tenants with buildings open to the public. You may obtain information about your legal obligations and how to comply with disability access laws at the following agencies: The Division of the State Architect at www.dgs.ca.gov/StateHome.aspx , The Department of Rehabilitation at www.cdph.ca.gov/Rehabilitation , The California Commission on Disability Access at www.ccdac.ca.gov .	
Account # _____			
Expiration Date: _____			
Amount Authorized: \$ _____			
Authorized Signature: _____			

Attachment F

City of Lemon Grove	
Supplement to Business License Application	
NOTE: Failure to answer all questions accurately and completely may result in rejection of this application.	
1. Describe products to be sold: (% of retail % of wholesale)	
N/A	
2. Describe any service you will provide:	
Outpatient Counseling	
3. Describe any products to be manufactured or assembled:	
N/A	
4. Describe any machinery or equipment to be used: (type, size horsepower, number)	
N/A	
5. Describe materials or supplies to be stored and proposed storage location:	
N/A	
6. If any vehicles will be used in the conduct of your business, describe them (number, size, capacity, intended use, where they will be stored (daytime/nighttime), etc.	
N/A	
7. Hours of operation:	9am-5pm, Monday-Sunday


8. Please indicate if hazardous or toxic materials will be present on the business site. ☐ Y ☒ N
If yes, list all materials present.

9. On graph paper provided, draw to scale a proposed floor plan of the proposed business. Please indicate all uses (i.e. storage, manufacturing, retail, etc.).

10. Please give additional details to fully describe the nature of the proposed business.

This facility will be used to provide on-site counseling and therapy to groups.

I declare under penalty of perjury that the foregoing information is true and correct.


Signature of Applicant

1/8/13
Date

I/We are aware of the proposed business to be located on our property and approve of this application being filed. I/We declare under penalty of perjury that the foregoing information is true and correct and understand that any false information is grounds for denial to issue or revocation if discovered after issuance.


Signature of Property Owner/Authorized Agent

1/8/13
Date

Palm Outpatient Client Weekday Schedule

	Mon	Tues	Wed	Thurs	Fri
9:45-10:45	*Just for Today	*Just for Today	*Just for Today	*Just for Today	*Just for Today
11:00-12:00	*Primary Process group	*Primary Process group *Ev.Bd. Relapse Prev.	*Primary Process group	*Primary Process group *Ev.Bd. Relapse Prev.	*Primary Process group
12:00 - 12:45	CLIENT LUNCH Shift 1: 12:00 - 12:20 Shift 2: 12:25 - 12:45	CLIENT LUNCH Shift 1: 12:00 - 12:20 Shift 2: 12:25 - 12:45	CLIENT LUNCH Shift 1: 12:00 - 12:20 Shift 2: 12:25 - 12:45	CLIENT LUNCH Shift 1: 12:00 - 12:20 Shift 2: 12:25 - 12:45	CLIENT LUNCH Shift 1: 12:00 - 12:20 Shift 2: 12:25 - 12:45
12:45-1:45	*My 12-step	*Relapse Prev Planning	*My 12-step	*Relapse Prev Planning	*Transition Group
2:00-3:00	Life Skills	*Psycho-Ed Gender GP	*Living in Balance (Core program)	*Psychotherapy *Creative Expression Draw it, paint it, write it out	*Living in Balance (Recovery Management)
3:15-4:15	*Psycho-Ed Lecture *Creative Expression Draw it, paint it, write it out	*Psycho-Ed Lecture *Psychotherapy	*Anger Management *Wellness	*Healthy Eating *Creative Expression	*Creative Expression *Healthy Eating
5:00-9:00	IOP/OP Program	IOP/OP Program	IOP/OP Program	IOP/OP Program	IOP/OP Program

NOTICE OF DECISION 08-02
MINOR USE PERMIT MUP080-001

NOTICE OF DECISION OF THE COMMUNITY DEVELOPMENT DIRECTOR OF THE CITY OF LEMON GROVE, CALIFORNIA TENTATIVELY APPROVING MINOR USE PERMIT MUP080-001 TO AUTHORIZE THE ESTABLISHMENT OF A SPECIALIZED PRIVATE SCHOOL AND ADMINISTRATIVE OFFICES SERVING UP TO 24 STUDENTS AND EMPLOYING 12 STAFF MEMBERS LOCATED AT 3434 GROVE STREET IN THE VILLAGE COMMERCIAL 5 (VC5) ZONE OF THE DOWNTOWN VILLAGE SPECIFIC PLAN AT 3434 GROVE STREET, LEMON GROVE, CALIFORNIA.

WHEREAS, Tom Alexander filed a complete application for a Minor Use Permit on January 7, 2008 requesting authorization for the establishment of a specialized private school and administrative offices serving up to 24 students and employing 12 staff members located at 3434 Grove Street, Lemon Grove, California; and

WHEREAS, the City has found the proposed Minor Use Permit to be categorically exempt from the environmental review requirements of the California Environmental Quality Act Guidelines (Section 15301 and 15332); and

WHEREAS, the proposed location of the school at 3434 Grove Street, Lemon Grove, California converts the use of the existing office building to a school and administrative offices and

WHEREAS, the proposed modification involves a minor modification to the existing building (new door in the hallway); and

WHEREAS, the school transports the children and up to three employees from a local housing facility in three vans with the remaining employees driving personal vehicles to the school; and

WHEREAS, the school and administrative offices is not expected to generate an increase in average daily trips from the current use as an office building; and

WHEREAS, lunch service will occur on-site and food preparation will occur off-site; and

WHEREAS, outdoor student exercise activities will occur at the residential campus or local parks; and

WHEREAS, on January 29, 2008 the Community Development Director reviewed this Minor Use Permit and has determined that the following findings of fact as required by Section 17.28.020(B) of the Lemon Grove Development Code can be made:

1. The proposed project is compatible with or can be made compatible with the Village Commercial 5 (VC5) zone because it proposes a use which is a permitted use in the Village Commercial 5 (VC5) zone upon a thorough analysis and the issuance of a minor use permit.
2. The proposed daycare facility is located in the Village Commercial 5 (VC5) zone in an area predominantly developed with commercial and office land uses. The subject property is currently developed with an existing office structure, parking lot and ornamental landscape. The site appears to be of adequate size to accommodate the proposed use and improvements. Conditions of project approval will require the subject property to conform to the performance requirements of the Development Code and to be compatible with the uses in the surrounding area.
3. The site plan indicates that the proposed use of the property does not generate the need for additional off-street parking and the existing on-site parking conforms to the parking

Attachment H

MUP080-001
January 29, 2008

requirements of the Development Code as much as practicable. Conditions have been included to ensure that the property owner manages the drop-off and pick-up of students so that impacts to the surrounding neighborhood are minimized to a level consistent with similar activities in a commercial neighborhood.

4. The Community Development Director finds that the proposed project is consistent with the Lemon Grove General Plan Community Development Element and State law because it proposes a use consistent with the Village Commercial 5 (VC5) zone and will be made compatible with the surrounding commercial and office uses located in the surrounding area.

IT IS HEREBY DETERMINED THAT the facts set forth in the recital of this Notice of Decision are found and declared to be true and therefore the City of Lemon Grove Community Development Director approves Minor Use Permit MUP080-001 to authorize the establishment of a specialized private school and administrative offices serving up to 24 students and employing 12 staff members located at 3434 Grove Street, Lemon Grove, California consistent with the site plan dated January 7, 2008 and incorporated herein by reference as "Exhibit A" subject to the following conditions:

A. Prior to the occupancy of the facilities authorized by this minor use permit, the applicant shall comply with the following:

- 1) Obtain a building permit for the new demising hallway wall and door or any other work requiring a building permit.
- 2) Clearly show all exit and exit pathway locations on the plans submitted for a building permit. Show the location of the exit signs.
- 3) Install panic hardware at exits (not at the main exit).
- 4) Submit a fire alarm system plan conforming to CFC Section 907.2.3 and NFPA72. A Technical Review shall be accomplished from a City of Lemon Grove approved consultant list.
- 5) Obtain a sewer permit from the City of Lemon Grove Sanitation District to add one additional EDU.
- 6) A final Fire Department inspection is required prior to obtaining the State licensing fire clearance.

B. Prior to the final inspection and use or occupancy of the school facility in reliance on this minor use permit the following shall apply:

- 1) Comply with and/or install the improvements required by the conditions set forth in Section A of this Notice of Decision.
- 2) All physical elements of the proposed project shown on the approved site plan dated January 7, 2008x, shall be located substantially where they are shown and shall be constructed in accordance with appropriate Lemon Grove City Municipal Codes.
- 3) The permittee shall obtain from the Community Development Director certification that specified conditions of the permit have been met. Planning Department Final inspection shall not be performed until all conditions set forth in Section A of this Notice of Decision have been completed.

C. The proposed project shall comply with the following general requirements:

- 1) The terms and conditions of the Minor Use Permit shall be binding upon the permittee

Attachment H

MUP080-001
January 29, 2008

- and all persons, firms, and corporations having an interest in the property subject to this Minor Use Permit, and the heirs, executors, administrators, successors, and assigns of each of them, including municipal corporations, public agencies, and district.
- 2) The proposed project shall comply with all of the appropriate provisions of the Uniform Building Code, Uniform Mechanical Code, Uniform Plumbing Code, National Electric Code, State of California Title 24 Energy Regulation, Fire Codes and the City of Lemon Grove Municipal Code.
 - 3) Proper drainage shall be maintained throughout this property so as to prevent ponding and/or storage of surface water.
 - 4) Vehicular sight distance at all driveway entrances shall be provided and maintained to the satisfaction of the City Engineer.
 - 5) All landscaping shall be well maintained and adequately watered at all times.
 - 6) The drop-off and pick-up of children shall occur at legal on-street parking locations. Parked vehicles shall not block driveways and shall not utilize the subject site driveway or adjacent residential driveways for vehicle backup maneuvers.
 - 7) The school shall transport the children off-site to either the associated residential campus or to parks for the outdoor games and recreational activities. Adjacent properties may not be leased for this use unless this permit has been modified and appropriate approvals have been obtained from the City of Lemon Grove.
 - 8) The operation of this school facility shall comply with the applicable provisions of the Municipal Code and the State of California Vehicle Code. Complaints filed with the City of Lemon Grove (such as noise and vehicular related complaints) may be cause for a revocation of this Minor Use Permit approval.
- D. The decision regarding this minor use permit shall become effective on February 8, 2008 (10 days after the date of the tentative approval) unless a valid request for a public hearing has been filed by the applicant or another interested person.
- E. This minor use permit expires on February 8, 2009 or such longer period as may be approved by the Community Development Director, Planning Commission or the City Council of the City of Lemon Grove prior to said expiration date unless use in reliance on this minor use permit has commenced prior to said expiration date.



Robert W. Larkins
Community Development Director

cc: MUP080-001 File
Fire Department
Building Department
Public Works Department

Development Services Department / Planning Division
3232 Main Street, Lemon Grove, CA 91945
Phone: 619-825-3805 Fax: 619-825-3818
www.lemongrove.ca.gov

<input type="checkbox"/>	Zoning Clearance (ZC)	<input type="checkbox"/>	Tentative Parcel Map (TPM) - 4 or fewer lots
<input type="checkbox"/>	Pre-Application (PA)	<input type="checkbox"/>	Certificate of Compliance (CC)
<input type="checkbox"/>	Minor Use Permit (MUP)	<input type="checkbox"/>	Zoning Amendment (ZA)
<input type="checkbox"/>	Conditional Use Permit (CUP)	<input type="checkbox"/>	Specific Plan Amendment (SPA)
<input type="checkbox"/>	Planned Development Permit (PDP)	<input type="checkbox"/>	General Plan Amendment (GPA)
<input type="checkbox"/>	Minor Modification (MM)	<input type="checkbox"/>	Modification of _____
<input type="checkbox"/>	Variance (VA)	<input type="checkbox"/>	Time Extension for _____
<input type="checkbox"/>	Boundary Adjustment/Lot Merger (BA)	<input checked="" type="checkbox"/>	Appeal of <u>MUP-180-0001</u>
<input type="checkbox"/>	Tentative Map (TM) - 5 or more lots	<input type="checkbox"/>	Substantial Conformance Review of _____
<input type="checkbox"/>	Other _____		

CONTACT PERSON:	Sydel Howell	PHONE:	
ADDRESS:	same	FAX:	
		EMAIL:	

PROJECT NAME: Outpatient Treatment Center
PROJECT ADDRESS: 3434 Grove St.
ASSESSOR PARCEL #: 480-111-35-00 SITE ACREAGE:

DETAILED DESCRIPTION OF PROPOSED PROJECT USE, STRUCTURE, AND IMPROVEMENT:

DEVELOPMENT SERVICES

-32-

[illegible]



San Diego
Homecare Supplies
For Your Health and Personal Needs

May 22, 2018

Re: Minor Use Permit MUP-180-0001 and Administrative Appeal No. AA1-800-0002

City of Lemon Grove
Community Development Department
3232 Main Street
Lemon Grove, CA 91945

CITY OF LEMON GROVE

MAY 22 2018

DEVELOPMENT SERVICES

To Whom It May Concern:

We are writing to oppose the approval of the Minor Use Permit for a drug and alcohol addiction and treatment center at 3434 Grove Street in Lemon Grove, California.

Our neighborhood has been suffering from increased blight, homelessness, and vagrancy over the past several years. Inviting more individuals with drug and alcohol addiction into our part of town will only serve to exacerbate this problem, thus further discouraging customers from visiting our local shops and staying to enjoy other commercial establishments.

Our medical supply store takes pride in attracting customers from all parts of San Diego, including La Jolla, Point Loma, Coronado, Valley Center, Escondido, Oceanside, Descanso, El Centro, San Ysidro, Mexico and beyond. These customers could potentially spend a great deal of additional time in our neighborhood if the environment were more pleasing and inviting. Many of our customers do visit the local restaurants, but even more ask us to mail their supplies to them in the future. This is unfortunate since foot traffic is what we need as retail establishments. We do not see how inviting drug addicts to our little block will uplift our corner of Lemon Grove.

We also take pride in serving our customers and caring for them at a high level. Unfortunately, this is not the sense we get from the corporate entity that is proposing to move in to our neighborhood. On Monday, April 16 Mr. Shane Harmon of Colliers International and Mr. Ron Roberts of California Commercial Properties came to our store to talk about our appeal of their Minor Use Permit. I was in a private fitting with a customer and they were told by my staff that I was booked with appointments all morning. They were invited by my staff to make an appointment with me.

7846 Broadway Lemon Grove, CA 91945 • Phone

Fax:

Attachment J

However, Mr. Harmon and Mr. Roberts insisted on waiting to talk to me and sat down at our intake desk, blocking the way for customers to check in. They proceeded to have a loud conversation, interrupting the work of staff seated at that desk and in the office space nearby. At this point they were invited to wait on the chairs at the front of the store. This was a very busy day for us, as evident by the number of people being waited on and others waiting to be helped. Our store had at least 4 sets of customers in the store that morning.

When I came out of the fitting room an hour after they arrived and went back to the office area, Mr. Harmon returned from the front and insisted on approaching me, despite the fact that I was obviously busy attending to customers. In the interest of cordiality I let him know that I had not had the chance to check my email or voicemail and did not receive his messages. I also invited him to make an appointment and apologized for not being able to meet with him at that moment. He insisted on taking me to the front of the store to meet the landlord. As we approached the front, right in the middle of the store, he announced. *"I just want you to meet Ron and then you can get back to making money."* Needless to say, I found this statement to be highly offensive. Since making our home in Lemon Grove in 1998, San Diego Homecare Supplies has taken pride in principally helping those we serve and elevating our community. "Making money" is secondary.

Obviously, the corporate entity from Florida applying to take up residence in Lemon Grove has little interest in being good neighbors, and is only interested in making a profit. Having said that, we are certain there are more appropriate locations for the type of intensive outpatient drug and alcohol treatment the patients of Niznik Behavioral Health require, such as the medical buildings near the Costco off of Market Street.

As per the City of Lemon Grove's website, research done for the Downtown Specific Plan (DSP) makes clear that *"most residents do feel that downtown is not family-friendly and would like to see more food and drink venues, entertainment venues, and shops. Deterrents to visiting the Downtown area include a lack of parking and maintenance/cleanliness and the perception/presence of homeless, vagrancy, and criminal activity."* Allowing an intensive drug and alcohol addiction treatment facility to move in next to Barry's Sporting Goods will most certainly NOT mitigate these concerns nor promote the wishes of our community.

Inviting an intensive drug and alcohol addiction treatment facility will deter, not help, the City of Lemon Grove to achieve its stated goals in the DSP to:

- ✓ *"expand downtown Lemon Grove's unique character catering towards families and professionals"* (Chapter 3, Goal 2.7)
- ✓ *"Limit uses that do not contribute to the pedestrian environment"* (Chapter 3, Goal 2.14)
- ✓ *"Incentivize retail, restaurant and hotel businesses to locate near the transit station"* (Chapter 3, Goal 3.4)
- ✓ *"Encourage a diverse retail environment with an appropriate mix of retail, office, residential, dining, entertainment and art uses"* (Chapter 3, Goal 6.1)
- ✓ *"Promote retention of existing businesses and recruitment of desirable businesses"* (Chapter 3, Goal 2.7)

Attachment J

We sincerely hope and respectfully request that the City of Lemon Grove deny the Minor Use Permit MUP-180-0001 to authorize a drug and alcohol addiction and treatment center at 3434 Grove Street.

Perhaps the building owner may more appropriately seek out a brewery/brew pub/restaurant to use that space.

What we need in Lemon Grove is more family-friendly establishments that will attract people from all parts of San Diego to our corner of the world, not ones that will deter those already coming here to not come back.

Sincerely,

A handwritten signature in cursive script that reads "Sydel Howell".

Sydel Howell
COO

CHAPTER II – THE VISION

The overall vision for the Lemon Grove Downtown Village Specific Plan is to create a vibrant and sustainable downtown. A mix of land uses ensuring a variety of residential options, shopping in a village atmosphere, and employment opportunities are planned. The emphasis for downtown is to provide inviting public places, transit-oriented development, and build on the unique character and community of the City of Lemon Grove.

This Chapter provides an overview of the public outreach activities, community involvement and policy framework that have influenced the development of the Lemon Grove Downtown Village Specific Plan. In addition, this chapter explains the planning factors, goals and objectives that form the foundation of the Specific Plan's development standards, design criteria, and provisions.

A. Public Outreach & Community Input



Preparation of the Specific Plan included a comprehensive public participation process. The public was involved to identify concerns, generate ideas, provide clarity and resolve issues. The following is a brief description of the community involvement and outreach efforts:

Community Workshops

Workshop #1 and Downtown Walking Tour – May 29, 2003. The first public workshop and Downtown Walking Tour was held on May 29, 2003 to provide community members with the opportunity to contribute input and learn about the process. The attendees were divided into five walking tour groups and then toured the entire Downtown area, from Central Avenue to

Lester along Lemon Grove Avenue, Broadway and Main Street. Basic concepts of redevelopment and examples of successful projects were shared with the group, and then they were asked to provide their observations, comments and recommendations from the walking tour.

Workshop #2 – November 20, 2003. The consultant team focused this meeting on development concepts based on input from the first workshop. These concepts included land use, urban design, and pedestrian/transit circulation. Following the presentation, the attendees were asked to share their comments and questions regarding the development concepts. The main issues addressed were separate districts for downtown Lemon Grove, increased density, retail/manufacturing land use, additional parking, and circulation changes.

Technical Advisory Committee Meetings

A Specific Plan Subcommittee, consisting of two members from the City Council, one Planning Commissioner, and two representatives from the community, contributed their unique backgrounds and perspectives toward creation of the Lemon Grove Downtown Village Specific Plan. Over the course of several months, the consultants met numerous times with this group to provide information, discuss options and receive the Committee's input regarding goals and issues for the Specific Plan. The direction provided by the Committee was used to develop the Draft Specific Plan. The Committee also met several times independently without the consultants.

B. Specific Plan Goals & Objectives

The Lemon Grove Downtown Village Specific Plan policy framework provides the primary guidance for the Specific Plan. All future development and redevelopment within the Specific Plan area shall be consistent with and take direction from the Goals and Objectives expressed in this Section.



Attachment K

The Policy Framework for the Lemon Grove Downtown Village Specific Plan is organized as follows:

- **Specific Plan Planning Factors:** Identifies the existing opportunities and constraints that influence and contribute to the creation of the Specific Plan
- **Specific Plan Goals:** Lists the broad goals that guide future development and redevelopment in the Specific Plan Area.
- **Specific Plan Objectives:** Outlines more explicit policy statements to implement the Specific Plan's Goals.

Specific Plan Planning Factors

The planning factors addressed in this Specific Plan were derived from a list of inadequacies in the Downtown Village. These planning factors are based upon community input, market analysis, mobility and parking studies, and observations by the subcommittee and planning consultant team. The planning factors are listed below and grouped into the following categories:

- Policy
- Land Use & Urban Design
- Parking
- Market/Economic
- Transportation/Circulation

Policy Factors

- **Community-Based Plan:** The Specific Plan area, a requirement of the Lemon Grove General Plan, includes a large, vibrant commercial area referred to as "downtown" by residents, business and property owners. Each of the involved stakeholders has ideas about how these different areas shall be preserved or how they shall change. A community that directs its future can keep and

enhance what is valued, while encouraging and allowing changes that contribute to the community's vision.

- **Predictable/Understandable Criteria and Standards:** The City's existing Downtown Storefront Improvement Guidelines (City of Lemon Grove May 2001) are well-written and cite positive examples of design, but are non-specific and not regulatory. Developers' and designers' interpretation of such guidelines are sometimes different from the understanding of City staff or decision-makers.

Land Use & Urban Design Factors

- **Vacant Lots and Buildings:** Vacant buildings present unattractive gaps in Lemon Grove's downtown, influence the appearance of adjacent buildings and detract from the community's economic vitality.
- **Points of Community Pride:** The community has specific unique features with which it strongly identifies and wants to protect, such as the small town village feel, historic structures at the park, the Lemon Grove "Lemon" and the history of the community.
- **Central Civic Space:** The existing Civic Center is underutilized and a new library is planned.
- **Community Circulation Patterns and Signage:** It is difficult to navigate through the Downtown Village because of the lack of adequate signage and the circulation disruptions caused by the Trolley.

Parking Factors

- **Parking Requirements and Intensity of Development:** To satisfy parking requirements for new development, or for redevelopment, relatively large parking lots are required. The result is that smaller lots are difficult to redevelop with adequate on-site parking and may simply deteriorate over time. Lot consolidations to create projects



that could provide adequate on-site parking may be bigger than what the community wants.

- **Location of Public Parking:** The existing parking lots are difficult to locate and access.
- **Limited Vacant Land for Surface Parking Lots:** Land that could be used for surface parking in the specific plan area is very limited and competes with development potential.

Market/Economic Factors

- **Unique Retail:** Multiple areas of the Downtown currently offer distinct retail/service opportunities.
- **Commercial:** Commercial land uses are underutilized throughout the project area.
- **Residential:** The City of Lemon Grove has identified the need for more housing to support the vision of mixed-use and TOD.

Transportation/Circulation Factors

- **San Diego Trolley:** At-grade trolley lines create significant traffic and pedestrian circulation impacts.
- **Highway 94 Access:** Large volumes of traffic entering the community from Highway 94 create congestion at multiple intersections and several roadway segments within the Downtown area.
- **Integrated Modes of Transportation:** Multiple modes of transportation (trolley, bus, auto, bicycle and pedestrian) are available to the community but are poorly integrated.
- **Pedestrian Circulation:** Lemon Grove Avenue, the trolley tracks right-of-way, and Main Street hinder pedestrian circulation.

- **Pedestrian Linkages:** There is a lack of pedestrian linkages throughout the Downtown Village.
- **At-Grade Trolley Crossings:** The trolley station and at-grade street crossings at Central Avenue, Broadway and Lemon Grove Avenue adjacent to Highway 94 create vehicular and pedestrian congestion and safety concerns and divides the community.

Goals, Objectives and Implementation Strategies/Actions

The following goals and objectives for the Lemon Grove Downtown Village Specific Plan provide the foundation of the regulatory framework that is implemented through the land use plan, zoning regulations, development standards, and design criteria. These goals and objectives are intended to complement the evaluation of future proposals and design concepts to determine if they are supportive of the spirit and intent of this plan. The implementation strategies/actions support the goals and objectives. The Specific Plan will guide decision-makers to determine whether a project will contribute to the desired future of Lemon Grove.

Implementation Strategies and Actions are specific and measurable. They direct the City in specific ways to reach its goals. This includes not only the goals stated in the Specific Plan, but also the broader goals of the Lemon Grove General Plan.

Land Use

Goal (1): Create a vibrant downtown district that is visually attractive and compatible with the village atmosphere of the current downtown Lemon Grove.

Objective (1):

- Create a strong sense of identity for the Downtown Village through enhancement of streetscapes, architectural form, and site planning.



Attachment K

- Establish a comprehensive signage system of informational and directional signs to direct vehicular and other travelers to the Downtown districts and parking facilities.

Implementation Strategies/Actions (1):

- Create appropriate development standards and design criteria that promote the area.
- Develop and implement sidewalk and streetscape improvements in commercial areas.
- Create a landscape program that strengthens the individual identity of each district, enhances linkages between districts, and creates an inviting pedestrian atmosphere by introducing shade and pedestrian scale elements.
- Encourage signage that provides sufficient direction and identification.
- Encourage the use of art to enhance public areas.

Goal (2): Create a pedestrian friendly environment.

Objectives (2):

- Establish a land use pattern that provides a variety of uses.
- Encourage infill development to be redeveloped in a more visually distinctive and pedestrian-friendly way.
- Create separate development standards and design guidelines that create distinct districts within the Downtown Village.
- Ensure the implementation of the Specific Plan.

Implementation Strategies/Actions (2):

- Limit uses that do not contribute to the pedestrian environment.
- Divide the Downtown Village Specific Plan area into Districts with distinctive uses, development standards and design guidelines.

Goal (3): Encourage transit-oriented development to create comfortable, walkable neighborhoods centered around a safe and

attractive transit station serving multi-modal transportation. There are opportunities for changes in densities and implementation of smart growth development ideals to create a concentrated downtown core, and utilize transit-oriented development principles.

Objective (3):

- Create core uses that have a direct relationship to transit.

Implementation Strategies/Actions (3):

- Allow for high residential densities to be developed in close proximity to transit locations.
- Encourage safe, comfortable and convenient pedestrian crossing options.
- Encourage businesses surrounding the transit station serving local residents and commuters.

Parking

Goal (4): Obtain a parking supply that is balanced to support the viability of commercial district businesses while minimizing impacts on adjacent neighborhoods.

Objectives (4):

- Enhance the usability of transit stops (bus and trolley)
- Pursue parking agreements with commercial owners of underutilized parking lots or purchase land to provide public parking.

Implementation Strategies (4):

- Reduce the need for parking by promoting mass transit.
- Create an Integrated Transit Center in cooperation with the Metropolitan Transit System (MTS).
- Use signage to direct vehicles to appropriate convenient parking for their specific destination or activity.
- Create a program to collect fees from Downtown Village redevelopment projects that are unable to provide required parking on-site to provide additional public parking.



Attachment L

EXHIBIT A – PROJECT PLANS

Not Attached

Enclosed in City Council packet or available at City Hall for Review